

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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ANTIONETTE REAVES	:	
	:	
Plaintiff,	:	<b>CIVIL ACTION</b>
	:	
v.	:	NO.
	:	
INDEPENDENCE MISSION SCHOOLS	:	
	:	
Defendant.	:	

**NOTICE OF REMOVAL**

Defendant Independence Mission Schools by and through its undersigned counsel, hereby gives notice of removal of the above-captioned matter from the Court of Common Pleas of Philadelphia County, Pennsylvania, in accordance with 28 U.S.C. §§ 1331, 1441, and 1446. In support of this Notice of Removal, Defendant respectfully submits the following:

1. On September 22, 2022, Plaintiff Antionette Reaves commenced the underlying action by filing a Writ of Summons in the Court of Common Pleas of Philadelphia County, Pennsylvania. (A true and correct copy of the Writ of Summons is attached hereto as **Exhibit A**).
2. The Writ of Summon was never served on Defendant.
3. On December 2, 2022, Plaintiff filed her Civil Action Complaint. (A true and correct copy of the Complaint is attached hereto as **Exhibit B**).
4. Counsel for Defendant executed an Acceptance of Service which was filed on December 5, 2022. (A true and correct copy of the Acceptance of Service is attached hereto as **Exhibit C**).
5. Defendant is the only Defendant in this matter.

6. To date, the Writ of Summons, Complaint, and Acceptance of Service are the only filings on the docket. (A true and correct copy of the Philadelphia County Court of Common Pleas docket is attached hereto as **Exhibit D**).

#### **Federal Question Jurisdiction**

7. This matter may be removed on the basis of federal question because the Complaint asserts a claim for racial discrimination in violation of 42 U.S.C. § 1981, *et seq.* (See Exhibit B at ¶¶ 39-46).

8. More specifically, Count VII of Plaintiff's Complaint pleads racial discrimination in violation of 42 U.S.C. § 1981, *et seq.*, alleging that Defendant subjected Plaintiff to adverse employment actions because of Plaintiff's race, and therefore, deprived Plaintiff of the right to make and enforce contracts. *Id.*

9. Under its federal question jurisdiction, the Court may exercise jurisdiction over Plaintiff's state law claims under 28 U.S.C. § 1367 because they arise from the same set of operative facts as the federal claims.

#### **Compliance with Removal Procedure**

10. This Notice of Removal is timely as it has been filed within thirty (30) days of Defendant's receipt of the attached Complaint. 28 U.S.C. § 1446(b)(1).

11. Notice of Removal will be provided this date to Plaintiff's counsel and to the Office of Judicial Records of the Philadelphia County Court of Common Pleas. 28 U.S.C. § 1446(d).

12. Defendant will perfect its removal by filing a true and correct copy of the docket records in the underlying matter in the Court of Common Pleas of Philadelphia County with this Court.

**WHEREFORE**, Defendant respectfully gives notice that the above-captioned matter is hereby removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

**FREEMAN MATHIS & GARY, LLP**

Dated: December 6, 2022

By: /s/ Heather C. McFeeley  
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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I, Heather C. McFeeley, Esquire, attorney for Defendant, Independence Mission Schools hereby certify that on December 5, 2022, I served a true and correct copy of the foregoing Notice of Removal via electronic mail upon the following party:

Briana Lynn Pearson, Esq.  
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*Attorney for Plaintiff*

**FREEMAN MATHIS & GARY, LLP**

Dated: December 6, 2022

By: /s/ Heather C. McFeeley  
HEATHER C. MCFEELEY  
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